

# **EXHIBIT 38**

## **Redacted Excerpts from Deposition of Carlos Silva**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON )  
FITCH, on behalf of )  
themselves and all others )  
similarly situated, )  
)  
Plaintiffs, )  
)  
vs. ) Case No.  
 ) 2:15-cv-01045-RFB-(PAL)  
)  
ZUFFA, LLC, d/b/a Ultimate )  
Fighting Championship and )  
UFC, )  
)  
Defendant. )  
)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CARLOS SILVA

Las Vegas, Nevada

April 18, 2017

9:16 a.m.

REPORTED BY:  
CYNTHIA K. DuRIVAGE, CSR #451  
Job No. 49524

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

	54		56
1	Is that accurate?	1	A. Yes.
2	A. Yes.	2	Q. For World Series Of Fighting 20, does the
3	Q. Was this document maintained in the normal	3	fight card total [REDACTED]?
4	course of business at World Series Of Fighting?	4	A. Yes.
5	A. It was.	5	Q. For World Series Of Fighting 21, does the
6	Q. Turning to page 2, for gross profit, can	6	fight card total [REDACTED]?
7	you read the number on the far right, the last entry?	7	A. Yes.
8	A. [REDACTED]	8	Q. For World Series Of Fighting 22, does the
9	Q. Turning back to the first page under	9	fight card total [REDACTED]?
10	"Income," TV domestic, can you read the number on the	10	A. Yes.
11	far right for the total?	11	Q. World Series Of Fighting 23, does the fight
12	A. [REDACTED]	12	card total [REDACTED]?
13	Q. 34 cents?	13	A. Yes.
14	A. And 34 cents, thank you.	14	Q. World Series Of Fighting 24, does the fight
15	Q. And for TV international, what is the	15	card total [REDACTED]?
16	total?	16	A. Yes.
17	A. [REDACTED]	17	Q. World Series Of Fighting 25, does the fight
18	Q. Slightly down that first page under "Cost	18	card total [REDACTED]?
19	of Goods," do you see "Compensation Fighter"?	19	A. Yes.
20	A. I do.	20	Q. And for World Series Of Fighting 26, does
21	Q. If you go to the far right column, what	21	the fight card total [REDACTED]?
22	does the total indicate?	22	A. Yes.
23	A. [REDACTED]	23	Q. Do you agree I read each of the events that
24	Q. Scrolling down that page, do you see the	24	took place in 2015?
25	entry "Fighter Bonuses."	25	A. You did.
	55		57
1	A. I'm looking.	1	Q. Do you have any reason to dispute those
2	MR. SKAGGS: I think it's like two-thirds	2	figures total [REDACTED]?
3	of the way down, about.	3	A. I didn't add them up, but it sounds
4	THE WITNESS: "Fighter Bonuses," Yes.	4	correct.
5	BY MR. MAYSEY:	5	Q. Can you explain the difference between the
6	Q. Can you read the total on the far right	6	profit and loss statements and the World Series event
7	column for fighter bonuses?	7	totals
8	A. Looks like [REDACTED]	8	MR. SKAGGS: Form, foundation.
9	Q. Do you have any reason to believe these	9	BY MR. MAYSEY:
10	figures are inaccurate?	10	Q. in terms of fighter compensation?
11	A. I do not.	11	A. Yes. Clearly, the fighter compensation
12	Q. As you testify today, do you believe they	12	label in the P and L is not equal to the WSOF event
13	are accurate?	13	totals because they are not the same category.
14	A. I do believe they are accurate.	14	Q. Do you know what category in the profit and
15	Q. Going back to the World Series Of Fighting	15	loss statements
16	event totals, I'm going to read these into the	16	A. I do not.
17	record.	17	Q. constitute fighter pay?
18	World Series Of Fighting 17, it's a fight	18	A. I do not.
19	card total [REDACTED]?	19	Q. Staying with the 2015 profit and loss
20	A. Yes.	20	statement, this is about a little over halfway down
21	Q. And for World Series Of Fighting 18, is the	21	on the first page.
22	fight card total [REDACTED]?	22	Do you see the entry
23	A. Yes.	23	A. Sorry, Rob, I'm going to interrupt you.
24	Q. World Series Of Fighting 19, is the fight	24	Q. Sure.
25	card total [REDACTED]?	25	A. September, October, November, and December

15 (Pages 54 to 57)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

	58		60
1	of 2015.	1	<b>Q. And as you testify today, do you believe</b> <b>these figures are accurate?</b>
2	<b>Q. Yes.</b>	2	A. I do believe they are accurate.
3	A. The basic totals of the -- under "Rack Card	3	<b>Q. Turning back to the first page under</b> <b>"Income," for total TV domestic, do you see the</b>
4	Distribution" are very close to the fight card	4	<b>entries 9 [REDACTED]?</b>
5	totals.	5	A. I do.
6	<b>Q. And those were for the months September</b>	6	<b>Q. And that rope totals [REDACTED]</b>
7	<b>through December?</b>	7	<b>Is that accurate?</b>
8	A. Correct.	8	A. That's accurate.
9	<b>Q. Are they not close for the months prior to</b>	9	<b>Q. What is that [REDACTED] figure?</b>
10	<b>September?</b>	10	A. It is the amount that we received after
11	A. I didn't look. I just made the statement	11	commission from our TV partner.
12	that at least for those months, on quick review,	12	<b>Q. And who is that TV partner?</b>
13	they're very close to the same.	13	A. NBC Sports.
14	<b>Q. I'm going to hand you what will be marked</b>	14	<b>Q. And when we say, "after commission," what</b>
15	<b>as Exhibit 9 --</b>	15	<b>does that mean?</b>
16	<b>THE REPORTER: 10.</b>	16	A. Well, you can see TV domestic is [REDACTED]
17	MR. MAYSEY: I'm sorry, Exhibit 10. This	17	you can see TV NBC Cokin deal is [REDACTED]. That equals
18	is World Series Of Fighting profit and loss from	18	[REDACTED]
19	January through September of 2016.	19	<b>Q. Who is Cokin?</b>
20	(Exhibit 10 was marked for	20	A. He was an agent that helped us with the
21	identification by the reporter.)	21	deal.
22	BY MR. MAYSEY:	22	<b>Q. So Cokin helped broker the deal with NBC</b>
23	<b>Q. Are you familiar with this document?</b>	23	<b>Sports pursuant to which he got a commission?</b>
24	A. I am.	24	
25	<b>Q. On the lower right-hand corner, do you see</b>	25	
	59		61
1	<b>the number or the stamp 01/13/17 WSOF000013?</b>	1	A. Correct.
2	A. Yes.	2	<b>Q. Under that, do you see the row "TV</b>
3	<b>Q. This is a profit and loss statement from</b>	3	<b>International"?</b>
4	<b>January to September of 2016.</b>	4	A. Yes.
5	<b>Is that accurate?</b>	5	<b>Q. That row totals [REDACTED]?</b>
6	A. That's accurate.	6	A. Correct.
7	<b>Q. Was this document prepared by World Series</b>	7	<b>Q. If you scroll down slightly on that page</b>
8	<b>Of Fighting employees?</b>	8	<b>under "Cost of Goods."</b>
9	A. Yes.	9	A. Um-hmm.
10	<b>Q. And was this document maintained in the</b>	10	<b>Q. Do you see the line entry for compensation</b>
11	<b>normal course of business at World Series Of</b>	11	<b>fighter?</b>
12	<b>Fighting?</b>	12	A. Yes.
13	A. It was.	13	<b>Q. What does that row total?</b>
14	<b>Q. And this document was produced by World</b>	14	A. [REDACTED] - or, 26, I can't see it.
15	<b>Series Of Fighting in response to our subpoena?</b>	15	<b>Q. I believe it's 24 cents.</b>
16	A. Correct.	16	A. Yeah. Sorry. Is it 726 or 728?
17	<b>Q. Turning to page 2, can you read the last</b>	17	<b>Q. [REDACTED]</b>
18	<b>item under "Gross Profit" on the far right, the last</b>	18	A. Yes. Agreed.
19	<b>entry?</b>	19	<b>Q. And if you go a little bit further down, do</b>
20	A. Yes. [REDACTED]	20	<b>you see the entry for rack card distribution?</b>
21	<b>Q. Is that a negative?</b>	21	A. I do.
22	A. Yes, it is.	22	<b>Q. And if you follow that row to the far</b>
23	<b>Q. Do you have any reason to believe these</b>	23	<b>right, what does that total?</b>
24	<b>figures are not accurate?</b>	24	A. It looks like [REDACTED]
25	A. No reason to believe they're not accurate.	25	<b>Q. So if you add compensation fighter and rack</b>

16 (Pages 58 to 61)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p style="text-align: right;">62</p> <p>1     <b>card distribution together, what do you get?</b>      2       A. Whatever the number is plus [REDACTED]      3       <b>Q. Turning back to the World Series Of</b>      4       <b>Fighting event totals.</b>      5       A. Yes.      6       <b>Q. I'll read these into the record.</b>      7       For World Series Of Fighting 27, does the      8       fight card total [REDACTED] ?      9       A. Yes.      10      <b>Q. And for World Series Of Fighting 28, does</b>      11      <b>the fight card total [REDACTED] ?</b>      12      A. Yes.      13      <b>Q. For World Series Of Fighting 29, does the</b>      14      <b>fight card total [REDACTED] ?</b>      15      A. Yes.      16      <b>Q. For World Series Of Fighting 30, does the</b>      17      <b>fight card total [REDACTED] ?</b>      18      A. Yes.      19      <b>Q. For World Series Of Fighting 31, does the</b>      20      <b>fight card total [REDACTED] ?</b>      21      A. Yes.      22      <b>Q. For World Series Of Fighting 32, does the</b>      23      <b>fight card total [REDACTED] ?</b>      24      A. Yes, but you skipped one.      25      Did you skip [REDACTED] ?</p>	<p style="text-align: right;">64</p> <p>1       objection. The totals that you gave from Exhibit 4      2       include an event that occurred in October, and the      3       P and Ls only go to September.      4            MR. MAYSEY: Right. A fair comment.      5            BY MR. MAYSEY:      6            <b>Q. Do you have any reason to believe that the</b>      7            <b>figures on the profit and loss statement from 2016</b>      8            <b>are inaccurate?</b>      9            A. No reason to believe.      10          <b>Q. And as you testify today, do you believe</b>      11          <b>they are accurate?</b>      12          A. I do believe they are accurate.      13          <b>Q. I'm handing you to you what will be marked</b>      14          <b>as Exhibit 11.</b>      15            (Exhibit 11 was marked for      16            identification by the reporter.)      17          BY MR. MAYSEY:      18          <b>Q. It looks like an event level -- well, I'll</b>      19          <b>let you tell me what it is.</b>      20          MR. SKAGGS: Before we get into this, do we      21          know if the highlighting was part of the native      22          document?      23          MS. NORDQUIST: Yes, it was. It was      24          produced to you guys as it existed.      25          MR. SKAGGS: Counsel, when you say,</p>
<p style="text-align: right;">63</p> <p>1       MR. SKAGGS: No, I think we got it.      2       THE WITNESS: Oh, you did?      3       MR. SKAGGS: Yes.      4       THE WITNESS: Sorry. Yes, [REDACTED]      5       BY MR. MAYSEY:      6       <b>Q. And for World Series Of Fighting 33,</b>      7       [REDACTED] ?      8       A. Correct.      9       <b>Q. And then, for World Series Of Fighting 34,</b>      10      <b>there's no entry because it was beyond what we</b>      11      <b>requested of you.</b>      12      <b>Is that accurate?</b>      13      A. That's accurate.      14      <b>Q. And those totals for the figures that we do</b>      15      <b>have for 2016 total \$ [REDACTED]</b>      16      <b>Does that sound accurate?</b>      17      MR. SKAGGS: Foundation.      18      THE WITNESS: If you added them up and      19      that's what you came up with, that sounds close to      20      accurate.      21      BY MR. MAYSEY:      22      <b>Q. Does that figure match the profit statement</b>      23      <b>from 2016 if you add compensation fighter and rack</b>      24      <b>card distribution together?</b>      25      MR. SKAGGS: I'm just going to make an</p>	<p style="text-align: right;">65</p> <p>1       "provided to you guys," do you mean WSOF?      2       MS. NORDQUIST: WSOF produced it to you,      3       and then, I believe you guys gave it to us last week.      4       MR. SKAGGS: Okay. Well, we gave you the      5       Bates-stamped versions of them. I think you guys      6       already had the other versions.      7       MS. NORDQUIST: Yes. That's where it came      8       from.      9       MR. SKAGGS: And did you add this Bates      10      stamp --      11      MR. MAYSEY: Yeah, I'll get to that.      12      MS. NORDQUIST: I did for deposition      13      purposes.      14      MR. SKAGGS: Yeah, if you could just state      15      that on the record.      16      BY MR. MAYSEY:      17      <b>Q. Now, on the top right-hand side of the</b>      18      <b>first page, do you see the entry "WSOF004876"?</b>      19      A. I do.      20      <b>Q. We're going to represent for the record</b>      21      <b>that that Bates label was inserted by us onto the</b>      22      <b>Excel file that did not have Bates labels inserted.</b>      23      <b>Do you recognize this document?</b>      24      A. I do.      25      <b>Q. Can you describe for the record what this</b></p>

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

	198		200
1	A. Yes.	1	<b>Q. And what is the purpose of that type of clause? Well, strike that.</b>
2	<b>Q. Have you heard of a champion's clause or a championship clause?</b>	3	<b>What is that type of clause? What does an exclusive negotiating period mean?</b>
4	A. I have.	5	A. It's a window that gives you the opportunity to talk to your currently-under-contract fighter prior to them looking at other places to go become a professional.
5	<b>Q. And what is that?</b>	9	<b>Q. What is the purpose of having that clause in the contracts?</b>
6	A. It could be a few things. It could mean that you get a bonus if you're a champion and win.	11	A. It's a -- you know, you're a lawyer and I'm not. It's to protect the company.
7	It could mean that your contract gets renewed automatically if you're a champion and in a promotion.	13	<b>Q. Have you heard of something called a right to match?</b>
8		15	A. Sure.
9		16	<b>Q. Is that something the World Series has in its contracts with its athletes?</b>
10		18	A. At times, we do.
11	<b>Q. Okay. So talking about the latter, the latter form of a champion's clause where the contract gets automatically renewed, is that something that World Series Of Fighting has in its contracts with its athletes?</b>	19	<b>Q. What is the purpose of that -- well, strike that.</b>
12	A. Sometimes.	21	<b>What is the right to match?</b>
13	<b>Q. Why would it have that type of clause in its contracts? Strike that.</b>	22	A. The ability -- if a fighter needs to go -- if a fighter is allowed to go look at other opportunities, it gives the organization an opportunity to match the bidders that are on the
14	<b>Why would World Series Of Fighting have that type of champion clause in its contracts with its athletes?</b>	23	
15	A. You don't want -- you don't want champions to leave.	24	
16	<b>Q. And why don't you want them to leave?</b>	25	
17	A. Because they're your champions. Simple as		
	199		201
1	that.	1	outside of World Series Of Fighting.
2	<b>Q. Okay. And they're valuable to the organization?</b>	2	<b>Q. What is the purchase of having that type of clause in a contract with athletes?</b>
3	A. I think all the fighters are valuable to the organization, but the public likes champions, so champions represent the organization, so you'd like to keep your champions happy. Sometimes keeping them happy is giving them a clause to renew; sometimes it isn't.	4	A. Optionality for us to retain an athlete.
4	<b>Q. So are there fighters that prefer to have that type of clause in their contract?</b>	5	<b>Q. What do you mean by optionality?</b>
5	A. There's fighters that prefer it, and there's fighters that do not prefer it.	6	A. It gives us the ability to match an offer if we would like to. Gives us the option to match the offer.
6	<b>Q. Is it your understanding that having that type of champion's clause in a contract is customary in the MMA industry?</b>	9	<b>Q. Have you heard of something called an ancillary rights clause?</b>
7	A. I think it's been customary. I think it's changed.	10	A. You'd have to tell me what that is.
8	<b>Q. Have you heard of something called an exclusive negotiation period</b>	11	<b>Q. In your -- in World Series Of Fighting's contracts with its athletes, do the athletes grant World Series Of Fighting identity rights?</b>
9	A. Yes.	12	A. Partial identity rights, yes.
10	<b>Q. in contracts?</b>	13	<b>Q. And do they grant World Series Of Fighting ancillary rights, meaning for example, rights to the fight footage that World Series creates?</b>
11	<b>And is that something the World Series Of Fighting has in its contracts with its athletes?</b>	14	A. No. They don't have any right to grant us the right to our fight footage.
12	A. At times, yes.	15	<b>Q. Because you inherently own that footage?</b>
13		16	A. Correct.
14		17	<b>Q. Okay. And do they grant you ancillary rights to any intersection of where they're involved in a World Series Of Fighting related event?</b>
15		18	

51 (Pages 198 to 201)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p style="text-align: right;">202</p> <p>1 A. Do they grant us?</p> <p>2 <b>Q. Is that part of the contract?</b></p> <p>3 A. For the fighter to grant World Series Of 4 Fighting the right?</p> <p>5 <b>Q. Right.</b></p> <p>6 A. No. They don't have the right to give it 7 to us.</p> <p>8 <b>Q. Okay. Because you own it?</b></p> <p>9 A. Correct.</p> <p>10 <b>Q. And you presumably would never grant the 11 athlete those rights?</b></p> <p>12 A. We do at times. If they need it for a 13 sponsor, a documentary, a movie, something like that.</p> <p>14 <b>Q. So you would give written permission for 15 them to use it to for a specific purpose?</b></p> <p>16 A. Correct.</p> <p>17 <b>Q. But ultimately, you would own the rights to 18 that --</b></p> <p>19 A. Correct.</p> <p>20 <b>Q. -- intellectual property?</b></p> <p>21 A. We're not giving them the rights, we're 22 letting them borrow the rights. There's a big 23 difference.</p> <p>24 <b>Q. Why is it important that World Series Of 25 Fighting retains those intellectual property rights?</b></p>	<p style="text-align: right;">204</p> <p>1 <b>Q. What do you mean by that?</b></p> <p>2 A. If you're on television from 8:00 to 3 10:00 at night, you're competing with everything else 4 that people could do from 8:00 to 10:00 at night. 5 Anything. Live sport event, theater, television, 6 cable, broadband, pay services, Amazon, Netflix.</p> <p>7 <b>Q. Do you compete with other organizations to 8 sign MMA athletes?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. And when looking for athletes to sign, do 11 you look only for those athletes in North America, or 12 do you look around the world?</b></p> <p>13 A. Around the world.</p> <p>14 <b>Q. And are you competing to sign those 15 athletes against MMA promoters that are located only 16 in North America or other promoters around the world?</b></p> <p>17 A. Both, but primarily North America.</p> <p>18 <b>Q. But there are some promoters around the 19 world that you would compete with --</b></p> <p>20 A. There's a few.</p> <p>21 <b>Q. -- to sign some athletes?</b></p> <p>22 A. There's a few around the world.</p> <p>23 <b>Q. Is there a large talent pool available from 24 which World Series Of Fighting can sign MMA athletes?</b></p> <p>25 A. Yes.</p>
<p style="text-align: right;">203</p> <p>1 A. An asset of the company.</p> <p>2 <b>Q. It's an important asset?</b></p> <p>3 A. All assets are important.</p> <p>4 <b>Q. Well, what makes these particular assets 5 important?</b></p> <p>6 A. It's media. It's a -- it's a library, an 7 asset of a media company, of a sports property, is 8 the live footage is owned by the company.</p> <p>9 <b>Q. When broadcasting an event on television, 10 do you compete for television viewers?</b></p> <p>11 A. Yes.</p> <p>12 <b>Q. And are you competing only with other MMA 13 promoters for television viewers, or are you also 14 competing with other sports and entertainment 15 programming for viewers?</b></p> <p>16 A. Competing with everything that's on 17 television.</p> <p>18 <b>Q. So not just sports and entertainment 19 programming?</b></p> <p>20 A. Correct.</p> <p>21 <b>Q. Are you competing with anything other than 22 what is on television?</b></p> <p>23 A. Yes.</p> <p>24 <b>Q. What else would you be competing with?</b></p> <p>25 A. A pretty day.</p>	<p style="text-align: right;">205</p> <p>1 <b>Q. Do you think MMA promoters should be able 2 to make their own business decisions about whether to 3 co promote bouts?</b></p> <p>4 A. Yes.</p> <p>5 <b>Q. Do you think the term "elite professional 6 MMA fighter" is a subjective term?</b></p> <p>7 A. Yes.</p> <p>8 <b>Q. Are you aware of any sort of certification 9 that an MMA athlete can get that certifies them as an 10 elite professional MMA fighter?</b></p> <p>11 A. No.</p> <p>12 <b>Q. Has the UFC blocked the World Series Of 13 Fighting from any inputs necessary to put on 14 successful MMA events?</b></p> <p>15 A. No.</p> <p>16 <b>Q. Has the UFC done anything to impede your 17 ability to compete with them?</b></p> <p>18 A. No.</p> <p>19 <b>Q. Is MMA as big as the NFL?</b></p> <p>20 A. Not yet.</p> <p>21 <b>Q. And how are they different?</b></p> <p>22 A. How are what different?</p> <p>23 <b>Q. The NFL and MMA.</b></p> <p>24 MR. COUVILLIER: Objection, vague.</p> <p>25 THE WITNESS: You have to be a little more</p>

52 (Pages 202 to 205)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

206	208
<p>1 specific about your question.      2 BY MR. SKAGGS:</p> <p>3     <b>Q. Let's say financially, would you say</b>      4     <b>they're on the same playing field? No pun intended.</b></p> <p>5     A. No. NFL is the biggest -- the biggest      6 sport in America, undoubtedly. UFC, MMA, Bellator,      7 World Series Of Fighting combined in North America,      8 along with all of the regionals, aren't as big as the      9 NFL.</p> <p>10    <b>Q. Okay. You mentioned earlier that</b>      11   <b>Ali Abdel Aziz was a manager of MMA athletes at the</b>      12   <b>same time he was a senior vice president or whatever</b>      13   <b>his title was at World Series Of Fighting; is that</b>      14   <b>correct?</b></p> <p>15    A. Is it correct that he managed athletes at      16 the same time that he was working as a full-time      17 contractor at World Series Of Fighting?</p> <p>18    <b>Q. Right.</b></p> <p>19    A. Correct.</p> <p>20    <b>Q. Do you think that created the risk of a</b>      21   <b>conflict of interest?</b></p> <p>22    A. Yes. That's why it was the first thing      23 that I did when I took over the organization was to      24 change that.</p> <p>25    <b>Q. And what was your why did you make that</b></p>	<p>1     MR. MAYSEY: Can we stand and close it?      2     THE VIDEOGRAPHER: I'm sorry. We're still      3 on the record. Go ahead, Counsel.</p> <p>4     MR. MAYSEY: Yes. We will read and sign.      5     We're going to reserve the right to      6 reconvene this deposition in the event additional      7 financial information is disclosed that we have not      8 seen to date.</p> <p>9     MR. SKAGGS: Zuffa does not consent to that      10 reservation of rights.</p> <p>11    MR. MAYSEY: That's fine.</p> <p>12    MR. COUVILLIER: Neither do we.</p> <p>13    MR. MAYSEY: We are reserving our rights.      14 We don't anticipate we're going to have to call you      15 back, but we're not closing the deposition as of      16 today.</p> <p>17    MR. WIDNELL: And just to be clear, we'll      18 designate the entire -- I think we've already said      19 this, but designate the entire transcript as highly      20 confidential until we've had a chance to review      21 and --</p> <p>22    MR. SKAGGS: And you've had a chance to      23 review.</p> <p>24    MR. COUVILLIER: Well, I want him released      25 from the subpoena, though. I mean, we're here, we've</p>
207	209
<p>1     <b>decision?</b></p> <p>2     A. Because it was a conflict of interest.</p> <p>3     <b>Q. So Mr. Maysey introduced some emails</b>      4     earlier from Mr. Aziz about releasing certain      5     fighters.</p> <p>6     <b>Could you tell based on those emails</b>      7     <b>whether Mr. Aziz was acting in his capacity as a</b>      8     <b>manager of fighters or an executive of the World</b>      9     <b>Series Of Fighting when he sent those emails?</b></p> <p>10    A. I could not tell from those emails.      11 However, they were signed by him indicating that he      12 was with World Series Of Fighting.</p> <p>13    <b>Q. But you don't know for sure what he thought</b>      14   <b>his role was when he was making those decisions?</b></p> <p>15    A. Yeah. I can't -- I can't answer what I      16 thought was in Ali's head.</p> <p>17    <b>Q. That's fair.</b></p> <p>18    A. Nobody could.</p> <p>19    MR. SKAGGS: I have no more questions.</p> <p>20    THE VIDEOGRAPHER: Do you have anything?</p> <p>21    MR. MAYSEY: No.</p> <p>22    THE VIDEOGRAPHER: This concludes today's      23 deposition of Carlos Silva.</p> <p>24    The number of media used was three, and we      25 are off the record at 3:28 p.m.</p>	<p>1     produced the documents. I think if you have the      2 questions, he's prepared to answer whatever questions      3 you may have that are left, but we will object and we      4 will state that from our consideration, he has been      5 relieved of the subpoena and has complied with it      6 fully.</p> <p>7     MR. SKAGGS: And Zuffa agrees.</p> <p>8     MR. MAYSEY: We do not, and we have stated      9 our position for the record.</p> <p>10    But I appreciate that.</p> <p>11    THE VIDEOGRAPHER: Okay. Are we off, then?      12 We are off the record at 3:30 p.m.      13 (Time Noted: 3:30 p.m.)</p>

53 (Pages 206 to 209)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

	210		212
1	STATE OF )	1	INSTRUCTIONS TO WITNESS
2	) :ss	2	
3	COUNTY OF )	3	Please read your deposition over carefully
4		4	and make any necessary corrections. You should state
5		5	the reason in the appropriate space on the errata
6		6	sheet for any corrections that are made.
7	I, CARLOS SILVA, the witness	7	After doing so, please sign the errata sheet
8	herein, having read the foregoing	8	and date it.
9	testimony of the pages of this deposition,	9	You are signing same subject to the changes
10	do hereby certify it to be a true and	10	you have noted on the errata sheet, which will be
11	correct transcript, subject to the	11	attached to your deposition.
12	corrections, if any, shown on the attached	12	It is imperative that you return the original
13	page.	13	errata sheet to the deposing attorney within thirty
14		14	(30) days of receipt of the deposition transcript by
15		15	you. If you fail to do so, the deposition transcript
16	CARLOS SILVA	16	may be deemed to be accurate and may be used in court.
17		17	
18		18	
19		19	
20	Sworn and subscribed to before	20	
21	me, this day of	21	
22	, 2017.	22	
23		23	
24		24	
25	Notary Public	25	
	211		213
1	CERTIFICATE OF REPORTER	1	E R R A T A
2	I, Cynthia K. DuRivage, a Certified	2	
3	Shorthand Reporter of the State of Nevada, do hereby	3	
4	certify:	4	
5	That the foregoing proceedings were taken	5	I wish to make the following changes,
6	before me at the time and place herein set forth;	6	for the following reasons:
7	that any witnesses in the foregoing proceedings,	7	
8	prior to testifying, were duly sworn; that a record	8	PAGE LINE
9	of the proceedings was made by me using machine	9	CHANGE:
10	shorthand which was thereafter transcribed under my	10	REASON:
11	direction; that the foregoing transcript is a true	11	CHANGE:
12	record of the testimony given.	12	REASON:
13	I further certify I am neither financially	13	CHANGE:
14	interested in the action nor a relative or employee	14	REASON:
15	of any attorney or party to this action.	15	CHANGE:
16	Reading and signing by the witness was	16	REASON:
17	requested.	17	CHANGE:
18	IN WITNESS WHEREOF, I have this date	18	REASON:
19	subscribed my name.	19	CHANGE:
20	Dated: April 27th, 2017	20	REASON:
21		21	
22		22	
23	CYNTHIA K. DuRIVAGE	23	WITNESS' SIGNATURE
24	CCR No. 451	24	DATE
25		25	